

ORDER OF AN EXECUTIVE OFFICER UNFIT FOR HUMAN HABITATION ORDER TO VACATE

To: Avininder S. Aulakh and Rajvir K. Aulakh Edmonton, Alberta.
"the Owners"

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Sherwood Park, Alberta and municipally described as:
4 Sconadale Road.

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease:

- a. There was standing water and/or sewage located on the floor surface of the basement.
- b. High levels of moisture was detected using a moisture meter along the south-east basement wall.
- c. There was moisture damage and/or contamination of wall, floor and ceiling services throughout the basement.
- d. There was the presence of black mould on the drywall and floor surfaces located in basement.
- e. The foundation located on south- east corner of the house was cracked and may be structurally damaged.
- f. The front entrance steps were loose, broken, breaking apart and in a complete state of disrepair. The back entrance patio steps and floor was rotted.
- g. There were no guards or safety rails located on the patio located at the back entrance.
- h. The eaves trough system was damaged and obstructed. Large amounts of organic debris located inside the eaves trough blocked the drainage system rendering it in poor functioning condition. Trees adjacent to the house were obstructing the roof and eaves trough system.
- i. There were exposed electrical wires located within the walls of the main floor living room.
- j. Garbage was strewn throughout the exterior area surrounding the premises.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, the Nuisance and General Sanitation Regulation, Alberta Regulation 243/03 and/or the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards, exist in and about the above noted premises, namely:

- a. There was standing water and/or sewage located on the floor surface of the basement. This is in contravention of section 6 (a) of the Minimum Housing and Health Standards which states that, "The plumbing system and sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pump out sewage holding tanks, septic tanks, and the disposal system shall be maintained in a proper operating condition" and section 1 (b) of the Minimum Housing and Health Standards which states that, "(b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration or accumulation.
- b. High levels of moisture was detected using a moisture meter along the south-east basement wall. This is in contravention of section 1 (b) of the Minimum Housing and Health Standards which states that, "(b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration or accumulation.
- c. There was moisture damage and/or contamination of wall, floor and ceiling services throughout the basement. This is in contravention of section 1 (c) of the Minimum Housing and Health Standards which states that, "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- d. There was the presence of black mould on the drywall and floor surfaces located in basement. This is in contravention of section 1 (b) of the Minimum Housing and Health Standards which states that, "(b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration or accumulation."
- e. The foundation located on south- east corner of the house was cracked and may be structurally damaged. This is in contravention of section 1 (b) of the Minimum Housing and Health Standards which states that, "(b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration or accumulation."
- f. The front entrance steps were loose, broken, breaking apart and in a complete state of disrepair. The back entrance patio steps and floor were rotted. This is in contravention of section 1 (c) of the Minimum Housing and Health Standards which states that, "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- g. There were no guards or safety rails located on the patio located at the back entrance. This was in contravention of section 3 (c)(i) of the Minimum Housing and Health Standards which states that "inside or outside stairs, porches, including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional engineer design".
- h. The eaves trough system was damaged and obstructed. Large amounts of organic debris located inside the eaves trough blocked the drainage system rendering it in poor functioning condition. Trees adjacent to the house were obstructing the roof and eaves trough system. This is in contravention of section 2 (a) which states "The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition."
- i. There were exposed electrical wires located within the walls of the main floor living room. This is in contravention to Section 11 of the Minimum Housing and Health Standards which

states that, "Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition."

- j. Garbage was strewn throughout the exterior area surrounding the premises. This was in contravention to Section 2(1) of the Nuisance and General Sanitation Regulation which states that "no person shall create, commit or maintain a nuisance."

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupants vacate the above noted premises on or before May 31, 2018.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure the basement is maintained in good repair and free from water infiltration and /or sewage accumulation. Investigate and repair/replace the private sewage system to ensure that it is in proper operating condition. This includes incurring the proper plumbing permits if deemed necessary.
 - b. Maintain proper moisture levels in the building.
 - c. Remove and replace water damaged building materials.
 - d. Remove and replace mould- damaged building materials.
 - e. Repair the cracked foundation and ensure that the entire foundation is in good repair.
 - f. Repair the front steps and patio located at the back entrance.
 - g. Install guards and handrails that comply with the requirements of the Alberta Building Code.
 - h. Repair/replace the eaves trough system and render it fully functional at all times.
 - i. Repair the electrical system to ensure that there are no exposed electrical hazards.
 - j. Remove the garbage around the perimeter of the property and maintain the property in a sanitary condition at all times.
3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain vacant and secure from unauthorized entry.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Sherwood Park, Alberta, May 31, 2018.

_____ (Original Signed) _____

Warren Boychuk, BHSc, CPHI(C)
Executive Officer
Alberta Health Services

You have the right to appeal

A person who a) is directly affected by a decision of a Regional Health Authority, and
b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board
c/o Central Reception
Main Floor, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

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